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Attorney's Docket No. 5784-9 (035784/158956)

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Shirley et al. Confirmation No.: 3707  
09/285,429 Group No.: 1653  
Filed: April 2, 1999 Examiner: Chih Min Kam  
For: INJECTABLE FORMULATIONS CONTAINING SUCCINATE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 28, 2006

## PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of three months to respond to the Office Action dated September 29, 2005.
2. Applicant is  a small entity;  other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months <u>Requested</u>	Fee For Other <u>Than Small Entity</u>	Fee for <u>Small Entity</u>
<input type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input checked="" type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months*	\$2,160.00	\$1,080.00

\*Cannot be used to exceed six-month statutory limit for response to an Official Action.

A check in the amount of \$1020.00 is enclosed.  
 Charge Deposit Account No. 16-0605 for the extension fee.  
 Charge Deposit Account No. 16-0605 for any fee deficiency.

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Respectfully submitted,

Leslie T. Henry  
Registration No. 45,714

<p><b>Customer No. 00826</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p>"Express Mail" mailing label number EV 387075612 US Date of Deposit March 28, 2006</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p> <p> _____ Lynda Jo Pixley</p>
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